

PCT

REQUEST

The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.

10 Road PCT/PTO 03 JAN 2005

For receiving Office use only

International Appli No.

International Filing Date

Name of receiving Office and "PCT International Application"

Applicant's or agent's file reference
(if desired) (12 characters maximum)

35488WOP00

Box No. I TITLE OF INVENTION

PROSTHETIC HEART FUNCTION EVALUATION METHOD AND APPARATUS

Box No. II APPLICANT

☐

This person is also inventor

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

USCOM Pty Ltd
323 Old Coast Road
Korora, New South Wales 2450
Australia

Telephone No. (612) 6653 6071

Facsimile No. (612) 6656 4603

Teleprinter No.

Applicant's registration No. with the Office

State (that is, country) of nationality: AU

State (that is, country) of residence: AU

This person is applicant
for the purposes of:

☐

all designated
States

☒

all designated States
except the United States
of America

☐

the United States
of America only

☐

the States indicated in
the Supplemental Box

Box No. III FURTHER APPLICANT(S) AND/OR (FURTHER) INVENTOR(S)

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.)

PHILLIPS, Robert Allan
P O Box J241
Coffs Harbour, New South Wales 2450
Australia

This person is

☐

applicant only

☒

applicant and inventor

☐

inventor only (If this check-box is
marked, do not fill in below)

Applicant's registration No. with the Office

State (that is, country) of nationality: AU

State (that is, country) of residence: AU

This person is applicant
for the purposes of:

☐

all designated
States

☐

all designated States
except the United States
of America

☒

the United States
of America only

☐

the States indicated in
the Supplemental Box

☐

Further applicants and/or (further) inventors are indicated on a continuation sheet.

Box No. IV AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE

The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:

☒

agent

☐

common representative

Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country)

BALDWIN SHELSTON WATERS
60 Margaret Street
Sydney NSW 2000
AUSTRALIA

Telephone No. (02) 9777 1111

Facsimile No. (02) 9241 4666

Teleprinter No.

Agent's registration No. with the Office

☐

Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.

Box No.V DESIGNATIONS STATES

Mark the applicable check-boxes below. At least one must be marked.

The following designations are hereby made under Rule 4.9(a):

Regional Patent

- ☒ **AP** ARIPO Patent: GH Ghana, GM Gambia, KE Kenya, LS Lesotho, MW Malawi, MZ Mozambique, SD Sudan, SL Sierra Leone, SZ Swaziland, TZ United Republic of Tanzania, UG Uganda, ZM Zambia, ZW Zimbabwe, and any other State which is a Contracting State of the Harare Protocol and of the PCT (if other kind of protection or treatment desired, specify on dotted line):
- ☒ **EA** Eurasian Patent: AM Armenia, AZ Azerbaijan, BY Belarus, KG Kyrgyzstan, KZ Kazakhstan, MD Republic of Moldova, RU Russian Federation, TJ Tajikistan, TM Turkmenistan, and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT
- ☒ **EP** European Patent: AT Austria, BE Belgium, BG Bulgaria, CH and LI Switzerland and Liechtenstein, CY Cyprus, CZ Czech Republic, DE Germany, DK Denmark, EE Estonia, ES Spain, FI Finland, FR France, GB United Kingdom, GR Greece, HU Hungary, IE Ireland, IT Italy, LU Luxembourg, MC Monaco, NL Netherlands, PT Portugal, RO Romania, SE Sweden, SI Slovenia, SK Slovakia, TR Turkey, and any other State which is a Contracting State of the European Patent Convention and of the PCT
- ☒ **OA** OAPI Patent: BF Burkina Faso, BJ Benin, CF Central African Republic, CG Congo, CI Côte d'Ivoire, CM Cameroon, GA Gabon, GN Guinea, GQ Equatorial Guinea, GW Guinea-Bissau, ML Mali, MR Mauritania, NE Niger, SN Senegal, TD Chad, TG Togo, and any other State which is a member State of OAPI and a Contracting State of the PCT (if other kind of protection or treatment desired, specify on dotted line):

National Patent (if other kind of protection or treatment desired, specify on dotted line)

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> AE United Arab Emirates | <input checked="" type="checkbox"/> GM Gambia | <input checked="" type="checkbox"/> NZ New Zealand |
| <input checked="" type="checkbox"/> AG Antigua and Barbuda | <input checked="" type="checkbox"/> HR Croatia | <input checked="" type="checkbox"/> OM Oman |
| <input checked="" type="checkbox"/> AL Albania | <input checked="" type="checkbox"/> HU Hungary | <input checked="" type="checkbox"/> PH Philippines |
| <input checked="" type="checkbox"/> AM Armenia | <input checked="" type="checkbox"/> ID Indonesia | <input checked="" type="checkbox"/> PL Poland |
| <input checked="" type="checkbox"/> AT Austria | <input checked="" type="checkbox"/> IL Israel | <input checked="" type="checkbox"/> PT Portugal |
| <input checked="" type="checkbox"/> AU Australia | <input checked="" type="checkbox"/> IN India | <input checked="" type="checkbox"/> RO Romania |
| <input checked="" type="checkbox"/> AZ Azerbaijan | <input checked="" type="checkbox"/> IS Iceland | <input checked="" type="checkbox"/> RU Russian Federation |
| <input checked="" type="checkbox"/> BA Bosnia and Herzegovina | <input checked="" type="checkbox"/> JP Japan | |
| <input checked="" type="checkbox"/> BB Barbados | <input checked="" type="checkbox"/> KE Kenya | <input checked="" type="checkbox"/> SC Seychelles |
| <input checked="" type="checkbox"/> BG Bulgaria | <input checked="" type="checkbox"/> KG Kyrgyzstan | <input checked="" type="checkbox"/> SD Sudan |
| <input checked="" type="checkbox"/> BR Brazil | <input checked="" type="checkbox"/> KP Democratic People's Republic of Korea | <input checked="" type="checkbox"/> SE Sweden |
| <input checked="" type="checkbox"/> BY Belarus | <input checked="" type="checkbox"/> KR Republic of Korea | <input checked="" type="checkbox"/> SG Singapore |
| <input checked="" type="checkbox"/> BZ Belize | <input checked="" type="checkbox"/> KZ Kazakhstan | <input checked="" type="checkbox"/> SK Slovakia |
| <input checked="" type="checkbox"/> CA Canada | <input checked="" type="checkbox"/> LC Saint Lucia | <input checked="" type="checkbox"/> SL Sierra Leone |
| <input checked="" type="checkbox"/> CH & LI Switzerland and Liechtenstein | <input checked="" type="checkbox"/> LK Sri Lanka | <input checked="" type="checkbox"/> TJ Tajikistan |
| <input checked="" type="checkbox"/> CN China | <input checked="" type="checkbox"/> LR Liberia | <input checked="" type="checkbox"/> TM Turkmenistan |
| <input checked="" type="checkbox"/> CO Colombia | <input checked="" type="checkbox"/> LS Lesotho | <input checked="" type="checkbox"/> TN Tunisia |
| <input checked="" type="checkbox"/> CR Costa Rica | <input checked="" type="checkbox"/> LT Lithuania | <input checked="" type="checkbox"/> TR Turkey |
| <input checked="" type="checkbox"/> CU Cuba | <input checked="" type="checkbox"/> LU Luxembourg | <input checked="" type="checkbox"/> TT Trinidad and Tobago |
| <input checked="" type="checkbox"/> CZ Czech Republic | <input checked="" type="checkbox"/> LV Latvia | |
| <input checked="" type="checkbox"/> DE Germany | <input checked="" type="checkbox"/> MA Morocco | <input checked="" type="checkbox"/> TZ United Republic of Tanzania |
| <input checked="" type="checkbox"/> DK Denmark | <input checked="" type="checkbox"/> MD Republic of Moldova | <input checked="" type="checkbox"/> UA Ukraine |
| <input checked="" type="checkbox"/> DM Dominica | <input checked="" type="checkbox"/> MG Madagascar | <input checked="" type="checkbox"/> UG Uganda |
| <input checked="" type="checkbox"/> DZ Algeria | <input checked="" type="checkbox"/> MK The former Yugoslav Republic of Macedonia | <input checked="" type="checkbox"/> US United States of America |
| <input checked="" type="checkbox"/> EC Ecuador | <input checked="" type="checkbox"/> MN Mongolia | |
| <input checked="" type="checkbox"/> EE Estonia | <input checked="" type="checkbox"/> MW Malawi | <input checked="" type="checkbox"/> UZ Uzbekistan |
| <input checked="" type="checkbox"/> ES Spain | <input checked="" type="checkbox"/> MX Mexico | <input checked="" type="checkbox"/> VC St Vincent and the Grenadines |
| <input checked="" type="checkbox"/> FI Finland | <input checked="" type="checkbox"/> MZ Mozambique | <input checked="" type="checkbox"/> VN Viet Nam |
| <input checked="" type="checkbox"/> GB United Kingdom | <input checked="" type="checkbox"/> NO Norway | <input checked="" type="checkbox"/> YU Yugoslavia |
| <input checked="" type="checkbox"/> GD Grenada | | <input checked="" type="checkbox"/> ZA South Africa |
| <input checked="" type="checkbox"/> GE Georgia | | <input checked="" type="checkbox"/> ZM Zambia |
| <input checked="" type="checkbox"/> GH Ghana | | <input checked="" type="checkbox"/> ZW Zimbabwe |

Check-boxes below reserved for designating States which have become party to the PCT after issuance of this sheet:

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> NI Nicaragua | <input checked="" type="checkbox"/> SY Syrian Arab Republic | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> PG Papua New Guinea | <input type="checkbox"/> | <input checked="" type="checkbox"/> We wish to designate all possible States |

Precautionary Designation Statement: In addition to the designations made above, the applicant also makes under Rule 4.9(b) all other designations which would be permitted under the PCT except any designation(s) indicated in the Supplemental Box as being excluded from the scope of this statement. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit. (Confirmation (including fees) must reach the receiving Office within the 15-month time limit).

Box No. VI PRIORITY CLAIM

The priority of the following earlier application(s) is hereby claimed:

| Filing date of earlier application (day/month/year) | Number of earlier application | Where earlier application is: | | |
|---|----------------------------------|--|---|---|
| | | national application: country or Member of WTO | regional application:* regional Office | international application receiving Office |
| item (1) 3 July 2002 (03.07.02) | PS3352 | AU | | |
| item (2) | | | | |
| item (3) | | | | |
| item (4) | | | | |
| item (5) | | | | |

☐ Further priority claims are indicated in the Supplemental Box.

The receiving Office is requested to prepare and transmit to the International Bureau a certified copy of the earlier application(s) (*only if the earlier application was filed with the Office which for the purposes of this international application is the receiving Office*) identified above as:

☐ all items
 ☒ item (1)
 ☐ item (2)
 ☐ item (3)
 ☐ item (4)
 ☐ item (5)
 ☐ other, see Supplemental Box

**Where the earlier application is an ARIPO application, indicate at least one country party to the Paris Convention for the Protection of Industrial Property one Member of the World Trade Organization for which that earlier application was filed (Rule 4.10(b)(ii)).*

Box No. VII INTERNATIONAL SEARCHING AUTHORITY

Choice of International Searching Authority (ISA) (*if two or more International Searching Authorities are competent to carry out the international search, indicate the Authority chosen; the two-letter code may be used*):

ISA /

Request to use results of earlier search; reference to that search (*if an earlier search has been carried out by or requested from the International Searching Authority*):

Date (day/month/year) Number Country (or regional Office)

Box No. VIII DECLARATIONS

The following declarations are contained in Boxes Nos. VIII (i) to (v) (*mark the applicable check-boxes below and indicate in the right column the number of each type of declaration*):

Number of
declarations

- | | | | | |
|-------------------------------------|--------------------|--|---|---|
| <input type="checkbox"/> | Box No. VIII (i) | Declaration as to the identity of the inventor | : | |
| <input checked="" type="checkbox"/> | Box No. VIII (ii) | Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent | : | 1 |
| <input type="checkbox"/> | Box No. VIII (iii) | Declaration as to the applicant's entitlement, as at the international filing date, to claim the priority of the earlier application | : | |
| <input type="checkbox"/> | Box No. VIII (iv) | Declaration of inventorship (only for the purposes of the designation of the United States of America) | : | |
| <input type="checkbox"/> | Box No. VIII (v) | Declaration as to non-prejudicial disclosures or exceptions to lack of novelty | : | |

Box No. VIII (ii) DECLARATION OF ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

In relation to this international application,

USCOM Pty Ltd ... (name) is entitled to apply for and be granted a patent by virtue of the following:

An assignment from Robert Allan Phillips of P O Box J241, Coffs Harbour, New South Wales, 2450, Australia to USCOM Pty Ltd

This declaration is made for purposes of: all designations, except the designation of the United States of America



This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".

Box No. IX CHECK LIST; LANGUAGE OF FILING

This international application contains:
(a) in paper form, the following number of sheets:

request (including declaration sheets) : 5

description (excluding sequence listings and/or tables related thereto) : 6

claims : 1

abstract : 1

drawings : 6

Sub-total number of sheets : 19

sequence listings :
tables related thereto :
(for both, actual number of sheets if filed in paper form, whether or not also filed in computer readable form; see (c) below)

0

Total number of sheets : 19

(b) ☐ only in computer readable form (Section 801(a)(i))

(i) ☐ sequence listing

(ii) ☐ tables related thereto

(c) ☐ also in computer readable form (Section 801(a)(i))

(i) ☐ sequence listing

(ii) ☐ tables related thereto

Type and number of carriers (diskette, CD-ROM, CD-R or other) on which are contained the

☐ sequence listings:

☐ tables related thereto:

(additional copies to be indicated under item 9(ii) and/or 10(ii), in right column)

This international application is accompanied by the following item(s) (mark the applicable check-boxes below and indicate in right column the number of each item):

Number of item

1. ☒ fee calculation sheet

2. ☐ original separate power of attorney

3. ☐ original general power of attorney:

4. ☐ copy of general power of attorney; reference number; if any:

5. ☐ statement explaining lack of signature

6. ☐ priority document(s) identified in Box No. VI as items(s):

7. ☐ translation of international application into (language):

8. ☐ separate indications concerning deposited microorganism or other biological material

9. ☐ sequence listing in computer readable form (indicate type and number of carriers)

(i) ☐ copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application);

(ii) ☐ (only where check-box (b)(i) or (c)(i) is marked in left column) additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter

(iii) ☐ together with relevant statement as to the identity of the copy or copies with the sequence listings mentioned in left column

10. ☐ tables in computer readable form related to sequence listings (indicate type and number of carriers)

(i) ☐ copy submitted for the purposes of international search under Section 802 (b-quarter) only (and not as part of international application)

(ii) ☐ (only where check-box (b)(ii) or (c)(ii) is marked in left column) additional copies including, where applicable, the copy for the purposes of international search under Section 802 (b-quarter)

(iii) ☐ together with relevant statement as to the identity of the copy or copies with the tables mentioned in left column

11. ☐ other (specify):

Figure of the drawings which should accompany the abstract: Fig. 2

Language of filing of the international application: ENGLISH

Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).



Peter Treloar
BALDWIN SHELSTON WATERS

For receiving Office use only

1. Date of actual receipt of the purported international application:

3. Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application:

4. Date of timely receipt of the required corrections under PCT Article 11(2):

5. International Searching Authority (if two or more are competent): ISA/

6. ☐ Transmittal of search copy delayed until search fee is paid

2. Drawings:

☐ received:

☐ not received:

Date of receipt of the record copy by International Bureau:

For International Bureau use only